



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Remediation and Waste Management
17 State House Station
Augusta, Maine 04330
Telephone: (207) 287-3163

NOTICE OF VIOLATION

PART I: GENERAL INFORMATION

ALLEGED VIOLATOR'S NAME:

ENPRO Services of Maine

ALLEGED VIOLATOR'S MAILING ADDRESS:

**106 Main Street
South Portland, ME 04106**

DATE ISSUED:

March 29, 2010

PHYSICAL LOCATION OF VIOLATIONS:

Same

CERTIFIED MAIL NUMBER:

POINT OF CONTACT (IF DIFFERENT FROM ALLEGED VIOLATOR):

Peter Grenier

TELEPHONE NUMBER:

207-799-0850

PART II: INFORMATION CONCERNING THE ALLEGED VIOLATIONS

This Notice is in reference to the hazardous waste management inspection conducted on March 11, 2010 at ENPRO Services of Maine located at the above address. The inspection was conducted under the authority of Maine's Hazardous Waste, Septage, and Solid Waste Management Act, 38 M.R.S.A., Section 1301 et seq. and the Department's Hazardous Waste Management Rules (the "Rules"). ENPRO Services of Maine was inspected for compliance with standards for treatment, storage, and disposal facilities, and generators of hazardous waste.

The inspection revealed that ENPRO Services of Maine generates regulated hazardous wastes, including but not limited to waste gasoline. ENPRO Services of Maine also generates universal waste, a category of hazardous waste, which includes fluorescent lamps and other mercury-containing lamps, mercury switches and devices, cathode ray tubes (CRTs), certain batteries and other wastes, which are required to be recycled.

As a result of the inspection, the Department has identified the following violations:

1. Failure to retain notices of land disposal restriction notifications for manifested hazardous waste for at least five (5) years, in violation of the Rules, Chapter 852, Section 10 and 40 CFR 268.7(b)(6) and 40 CFR 268.7(a) [1990];

ENPRO Services of Maine did not have a copy of the land disposal restriction for all shipments of hazardous waste gasoline sent for recycling at an out-of-state recycling facility.

DISTRIBUTION:	Case File	Enforcement Director	AG's Office	EPA	Other: _____
----------------------	-----------	----------------------	-------------	-----	--------------

2. Failure to post signs with the words "Danger - Unauthorized Personnel Keep Out" at all entrances to the active portion of the facility, in violation of the Rules, Chapter 854, Section (6)(C)(4) which incorporates by reference 40 CFR 264.14(c);

ENPRO Services of Maine failed to post "Danger - Unauthorized Personnel Keep Out" signs at all entries to the facility, including at an entry door on Carver Boulevard and at the entry to the facility through the main office.

*****COMPLIANCE SCHEDULE*****

ENPRO Services of Maine must immediately take the necessary corrective actions to resolve the above violations and gain compliance with the Department's Hazardous Waste Management Rules. ENPRO Services of Maine must:

- 1) Immediately comply with all applicable standards for hazardous waste generators pursuant to the Act, 38 M.R.S.A. §§ 1301 to 1319-Y, and the Rules, Chapters 850 through 857, including but not limited to the following:
 - a) Henceforth ensure land disposal restriction forms are completed and maintained for all shipments of hazardous waste.
 - b) Immediately post "Danger-Unauthorized Personnel Keep Out" signs at all entries to the facility.
- 2) Within thirty (30) days of receipt of this Notice, respond to the Department in writing documenting corrective actions taken to address each of the cited violations as well as actions taken that ensure the violations do not recur.

Timely cooperation on implementing the corrective actions requested in this NOV, and contacting the case manager in writing within thirty (30) days of receiving this NOV are two significant factors that may affect whether, or the extent to which, the Department pursues further enforcement action. If the response and corrective actions are timely and complete, the Department expects that this case will be closed without further action. Your reply should document all corrective actions taken to address each of the violations cited in this Notice and to ensure that compliance is achieved and maintained. Analytical results, work orders, manifest copies and other relevant documentation of compliance should be included in your response.

PART III: DEPARTMENT ENFORCEMENT CONTACT

State of Maine, Department of Environmental Protection

ENFORCEMENT CASE MANAGER:

Richard M. Currie, OHMS, Maine DEP

TELEPHONE NUMBER

207-287-3163